

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**WSOU INVESTMENTS LLC D/B/A  
BRAZOS LICENSING AND  
DEVELOPMENT,**

*Plaintiff,*

**V.**

**ZTE CORPORATION, ZTE (USA) INC.  
AND ZTE (TX), INC.,**

***Defendants.***

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**C.A. NO. 6:20-cv-00496-ADA**

## **UNOPPOSED MOTION FOR EXTENSIONS BY ZTE**

Defendants ZTE Corporation, ZTE (USA) Inc. and ZTE (TX), Inc. (collectively “ZTE”) submit this Unopposed Motion for Extensions to extend the time for the respective party deadlines, with respect to Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development’s (“WSOU”) Amended Complaint, as filed on November 6, 2020 (Dkt. 36).

1. On October 9, 2020, ZTE filed Motions to Dismiss, and in the alternate Motions to Transfer, respectively, at Dkt. Nos. 23, 24, 25 (Dkt. No. 26 correcting Dkt. No. 25). ZTE's motions were styled as collective "motions to dismiss for improper jurisdiction and/or venue, and with an alternative relief styled as a motion to transfer venue for convenience." WSOU's responses were originally due by October 24, 2020.
2. On October 13, 2020, WSOU filed an unopposed motion for extension of time, Dkt. 27. With responses due by October 24, 2020, WSOU requested three-week extensions to November 6, 2020, at Dkt. No. 27, which were granted. (Order of October 15, 2020).
3. On November 6, 2020, WSOU filed Oppositions to ZTE's Motions to Dismiss, and in alternative Motions to Transfer, Dkt Nos. 34 and 35 regarding Dkt. Nos. 23 and 24.

4. On November 6, 2020, WSOU also filed an Amended Complaint, Dkt. No. 36 (supplemented by Dkt. No. 37). The Amended Complaint pertains to all ZTE entities.
5. With respect to any response by ZTE to the Amended Complaint, ZTE's current deadline is November 20, 2020. ZTE requests a two-week extension to December 4, 2020. In exchange, WSOU requests a reciprocal two-week extension (not including the week of December 25-January 1) of its responsive deadlines then, to January 8, 2021.
6. With respect to briefing on transfer, the parties have a dispute. It is ZTE's position that WSOU's Amended Complaint moots all briefings, including the sought relief stylized as the Motions to Dismiss, and the alternative Motions to Transfer for convenience. But it is Plaintiff's position that WSOU's Amended Complaint *only* moots the Motion to Dismiss briefings, not the Motion to Transfer briefings, and that the preexisting Motion to Transfer briefings are still active. Therefore, WSOU maintains that ZTE must reply on the pending motion to transfer for convenience by the current deadline of November 13, 2020. To the extent that this dispute continues, ZTE request a one-week extension to respond to November 20, 2020.
7. The requested extensions should cause no delay in the schedule.
8. Defendants consulted with counsel for Plaintiff, and both parties do not oppose the respective extensions.

WHEREFORE, to the extent necessary, and not eventually deemed moot by the parties, ZTE respectfully requests that the deadlines to file replies on transfer for convenience are to be extended to November 20, 2020; and

WHEREFORE, ZTE respectfully requests that the deadlines to respond to the Amendment Complaint (with a new Motion to Dismiss or otherwise), in view of the Amended Complaint, Dkt No. 36 (supplemented by Dkt. No. 37), is to be extended to December 4, 2020.

WHEREFORE, ZTE respectfully requests that WSOU's deadlines to file responses to the new Motions to Dismiss, be extended to January 8, 2021.

DATED: November 11, 2020

Respectfully submitted,

/s/Lionel M. Lavenue

Lionel M. Lavenue

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Attorney for Defendants,

ZTE Corporation

ZTE (USA), Inc.

ZTE (TX), Inc.

**CERTIFICATE OF CONFERENCE**

Defendants state that (1) counsel complied with the meet and confer requirements of Local Rule CV-7, and (2) that counsel for the Plaintiff stated that they do not oppose the extensions of time as outlined in this motion.

/s/Lionel M. Lavenue

Lionel M. Lavenue

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on November 11, 2020.

/s/Lionel M. Lavenue

Lionel M. Lavenue